



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

employee who causes the injury is declared to be free from liability therefor, his employer must also be free from liability. *Southern R. Co. v. Harbin* (Supreme Court of Georgia), 68 S. E. 1103, opinion by Beck, J., in which cases from other jurisdictions are cited and discussed at length.

Liability of Hotel Keepers Employing Infant Bell Boys to Convey Liquors to Guests.—The Supreme Court of West Virginia in *State v. Nichols*, 69 S. E. 304, rendered a decision in October, 1910, which will cause considerable inconvenience to the proprietors of hotels who also run a licensed saloon in connection therewith. In that case the bell boy, who was a minor (which is usually the case with bell boys in hotels) went to the bar and purchased liquor from the bartender without saying that he bought the whisky for any person other than himself or telling the bar tender that he wanted it for a guest of the hotel. Nor did it appear that the bartender even inquired of him whether he was getting the whisky for himself, or for another person to whom the saloon keeper may have had a right to sell. Upon these uncontroverted facts the court held the proprietor liable for the acts of the bartender, applying the rule that if a licensed saloon keeper, or his agent, deliver intoxicating liquor to a minor and receive from him the money therefor under the belief, however induced, that the minor is buying as agent for another, whose identity is unknown and is not disclosed, it constitutes a sale to the minor. Of course the rule of law is well settled by the decisions and recognized by all the text-writers on the subject, that where a sale of intoxicating liquor is made to a minor for an undisclosed principal, it is a sale to the minor. But the difficulty here is that it was expressly brought out in the evidence that the barkeeper was under the impression and belief that the bell boy was getting it for some guest of the hotel who was unknown to the bartender. The court added, however, "it does not follow that a lawful sale could be made to every guest. The guest might himself be an infant." It would certainly seem that in a transaction so common as this every presumption of innocence should attend the act of the saloon keeper, as he had every right to believe and did believe that this alleged unlawful sale was being made to a person competent under the law to buy. If, as the court says, the guest turned out to be an infant, then of course his liability would be undoubted, for he acts at his peril.

Exception to Independent Contractor Rule.—Where the negligence, which causes a fire on the right of way of a logging company's private railroad from sparks from its engine, is the permitting of its right of way to become and remain in a foul condition, it is liable for damage from the fire spreading to adjoining land, though an independent contractor for doing the logging was operating the road, and